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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,382	04/30/2001	Masakazu Hayashi	450100-03199	2746

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EXAMINER	
NGUYEN, KIMNHUNG T	
ART UNIT	PAPER NUMBER
2629	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/845,382	HAYASHI ET AL.	
	Examiner	Art Unit	
	Kimnhung Nguyen	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-4,8,9,11-13,17,18,20-22,26,27,29-31 and 35-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-4,8,9,11-13,17,18,20-22,26,27,29-31 and 35-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This application has been examined. The claims 2-4, 8-9, 11-13, 17-18, 20-22, 26-27, 29-31, and 35-37 are pending. The examination results are as following.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 2, 4, 8-9, 11, 13, 18, 20, 22, 26, 27, 29, 31 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al. (US 6,160,553) in view of Lewis et al. (US 5,987,469).

Regarding claims 2, 4, 11, 13, 20, 22, 29 and 31, Robertson et al. disclose in figure 9, a display method comprising the steps of dividing specific display area of a display apparatus into a plurality of areas (see figures 9-10, see multiple thumbnails images and each one associated with own function, see thumbnail 902 associated with Internet Explorer, see column 13, lines 19-62) as function of a size of desired non-image (see figures 13-14A, because Roberrson et al. discloses non-image with text); generating image data (see thumbnails) that is related to the desired non-image and comprises the plurality of areas divided, by setting a pixel data for each of the plurality of areas based on the non-image data (see low or high resolution associated with pixels and bit color, see column 9, lines 20-43, column 12, lines 45-62 and column 13, lines 53-57), and displaying the image generated (display thumbnails, associated with object, see col. 9,

lines 20-43). However, Robertson et al. does not disclose that wherein a number of the plurality of areas within the generated image data are proportional to the size of said-non-image so as to increase the number of the plurality of areas the display area is divided when the size of the non-image data is larger and to decrease the number of the plurality of areas the display area is divided into when the size of the said non-image is smaller. Lewis et al. discloses a method and apparatus for graphically representing information comprising a number of the plurality of areas within the generated image data are proportional to the size of said-non-image (see col. 3, lines 52-58) so as to increase the number of the plurality of areas the display area is divided when the size of the non-image data is larger and to decrease the number of the plurality of areas the display area is divided into when the size of the said non-image is smaller (because when increase the number of nested rectangles (areas) then the size of the files (non-image) is larger and when decrease the nested rectangles (areas) then the size of the files (non-image) is smaller).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a number of the plurality of areas within the generated image data are proportional to the size of said-non-image so as to increase the number of the plurality of areas the display area is divided when the size of the non-image data is larger and to decrease the number of the plurality of areas the display area is divided into when the size of the said non-image is smaller as taught by Lewis et al. into the display method of Robertson et al. for producing the claimed invention because this would provide the dimensions of the rectangles, especially those capable of displaying the names of the directories and files (see abstract).

Regarding claims 8, 17, 26 and 35, Robertson et al. discloses further, wherein boundaries among said divided areas are blurred after saturation of one or plurality of pixels in each of said divided areas is changed (see figure 10, column 13, and lines 19-56).

Regarding claims 9, 18, 27 and 36, are similar claim 2 and discussed above. Robertson et al. discloses further, wherein the non-image data is a text file (see descriptive, fig. 14A), wherein at least part of the contents of said text file is displayed in the form of text in such a manner to be overlapped to said image in formation (see figure 9).

Regarding claim 37, Robertson et al. discloses further, wherein a size of an area of the plurality of areas is smaller than an area corresponding to a thumbnail image because the first number of areas is inside of the thumbnail image.

4. Claims 3, 12, 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson et al. (US 6,160,553) and Lewis et al. (US 5,987,469) and in view of Hoffman (US 5,761,655).

Robertson et al. and Lewis et al. discloses every feature of the claimed invention, excluding the divided areas is modified by taking unit data quantities of said data file as data values of red, green, and blue dots of one or a plurality of pixels in each of said divided areas.

Hoffman disclose in figure 5, the divided areas is modified by taking unit data quantities of said data file as data values of red, green, and blue dots of one or a plurality of pixels in each

of said divided areas (see pixel process routine and RGB values, column 6, lines 63-67 and column 7, lines 1-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the data values of red, green, and blue of one or a plurality of pixels in each of said divided areas as taught by Hoffman into the system of Robertson et al. and Lewis et al. because this would provide to the user the scan increment the original image is changed, and perform the operation of the routine of Red, Blue and Green color values (see col. 7, lines 1-13), which appropriate indices for file ID and dominant color for each of the thumbnails produced.

Response to arguments

5. Applicant's arguments filed on 12/10/07 have been fully considered but they are not persuasive.

Applicant argues that "Robertson fails to teach or suggest a display method wherein a number of a plurality of areas are proportional to the size of non-image data so as to increase the number of the plurality of areas the display area is divided into when the size of the said non-image data is larger and to decrease the number of the plurality of areas the display area is divided into when the size of the said non-image data is smaller".

Examiner respectively disagrees because Lewis et al. discloses a method and apparatus for graphically representing information comprising a number of the plurality of areas within the generated image data are proportional to the size of said-non-image (see col. 3, lines 52-58) so as to increase the number of the plurality of areas the display area is divided when the size of the non-image data is larger and to decrease the number of the plurality of areas the display area is divided into when the size of the said non-image is smaller (because when increase the number

of nested rectangles (areas) then the size of the files (non-image) is larger and when decrease the nested rectangles (areas) then the size of the files (non-image) is smaller). Therefore, the combination of Robertson and Lewis et al. are satisfied for their purpose intended. For these reasons, the rejections are maintained.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen
February 18, 2008

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER